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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,397	07/09/2003	Fabrice Villaume	L7307.03150	8487

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EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,397

Applicant(s)

VILLAUME ET AL.

Examiner

Thu Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/9/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be limited to a single paragraph. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. Further, the phrase "single figure" at the end of abstract should be deleted.

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
DEVELOPMENT.

(d) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

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(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(e) BRIEF SUMMARY OF THE INVENTION.

(f) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(g) DETAILED DESCRIPTION OF THE INVENTION.

(g) CLAIM OR CLAIMS (commencing on a separate sheet).

(i) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

Drawings

3. The drawings are objected to because fig.1 does not include a name for each individual block in the drawing.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted

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by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The dependency status of claims 13 is ambiguous. It is not clear if claim 13 is independent claim or if claim 13 is dependent on claim 7. If claim 13 is an independent claim, the format for writing independent claim is improper, this cause confusion in determining fee payment. If claim 13 is the dependent claim, claim 13 is rejected under 112 4th paragraph for failing to further limit claim 7.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5, 7-13 rejected under 35 U.S.C. 103(a) as being unpatentable over DeVlieg et al (US 5,968,106) in view of Sekine et al (US 6,067,497) and Coquin et al (US 5,668,541).

As per claim 1, DeVlieg teaches a process for aiding the driving of a vehicle. The process includes: determining the current speed and deceleration value of the vehicle (col.4, lines 46-52); determining the distance to be reached at speed v_f (col.3, lines 40-45); DeVlieg does not explicitly teach the exact equation for determining d_f and does not explicitly teach presenting the distance to a driver of a vehicle. However, Sekine teaches a formula for determining the distance a vehicle travel until it reaches speed v_k (col.4, lines 42-50) and Coquin teaches a display device capable of displaying stopping information (col.8, lines 38-39), moreover, displaying a distance to be traveled on a display would have been both well known and obvious when such the information is desired and is available from calculation. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the formula of Sekine to determine the distance traveled until the vehicle reaches a speed v_f , and to display the distance using the display of Coquin in order to inform the user the distance he will travel from his current speed and deceleration.

As per claim 2, Sekine teaches a stopping speed v_f ($v_f = 0$) (col.4, lines 11-17).

As per claim 3, DeVlieg teaches calculating the distance traveled as a function of stopping position and current position of the vehicle (col.3, line 25). It would have been obvious to derive the stopping position x_{final} from the equation (3) (col.3, line 25) of DeVlieg.

As per claim 4-5, using a current acceleration value or a predetermined acceleration value for determining the distance to be traveled to determine distance the vehicle travel to reach a predetermined speed in order to determine if braking intervention should be administered to avoid passing the intended stopping point according to a special requirement of an application are both well known and obvious to an ordinary person skilled in the art at the time the invention was made.

As per claim 7, 10, 13, refer to claims 1, 3 above.

As per claim 8-9, DeVlieg teaches inertial platform of the vehicle (col.4, lines 46-52).

As per claim 11-12, presenting information on a headup display near the windscreen of a vehicle and displaying symbol indicating a point of interest would have been well known.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeVlieg et al (US 5,968,106) in view of Sekine et al (US 6,067,497) and further in view of Coquin et al (US 5,668,541) and Kawamoto (US 6,254,202).

As per claim 6, Kawamoto teaches setting predetermined deceleration value that is corresponds to the deceleration undergone by the vehicle emergency braking (col.4, lines 26-33). It would have been obvious to a person of ordinary skill in the art at the time the invention was

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made to set the deceleration taught by DeVlieg at the predetermined deceleration corresponding to the deceleration in emergency braking as taught by Kawamoto in order to execute emergency braking when the stopping distance exceed a predetermined distance.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications intended for entry)

Or:

(703) 305-7687 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451

Crystal Drive, Arlington. VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-8233. The fax phone number for this Group is (703) 305-7687.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1111.



THUY V. NGUYEN
PRIMARY EXAMINER

July 8, 2004